



Public International Law

Supplement

(2003/04)

Professors Jutta Brunnée & Karen Knop

BORJA LASKIN LAW LIBRARY

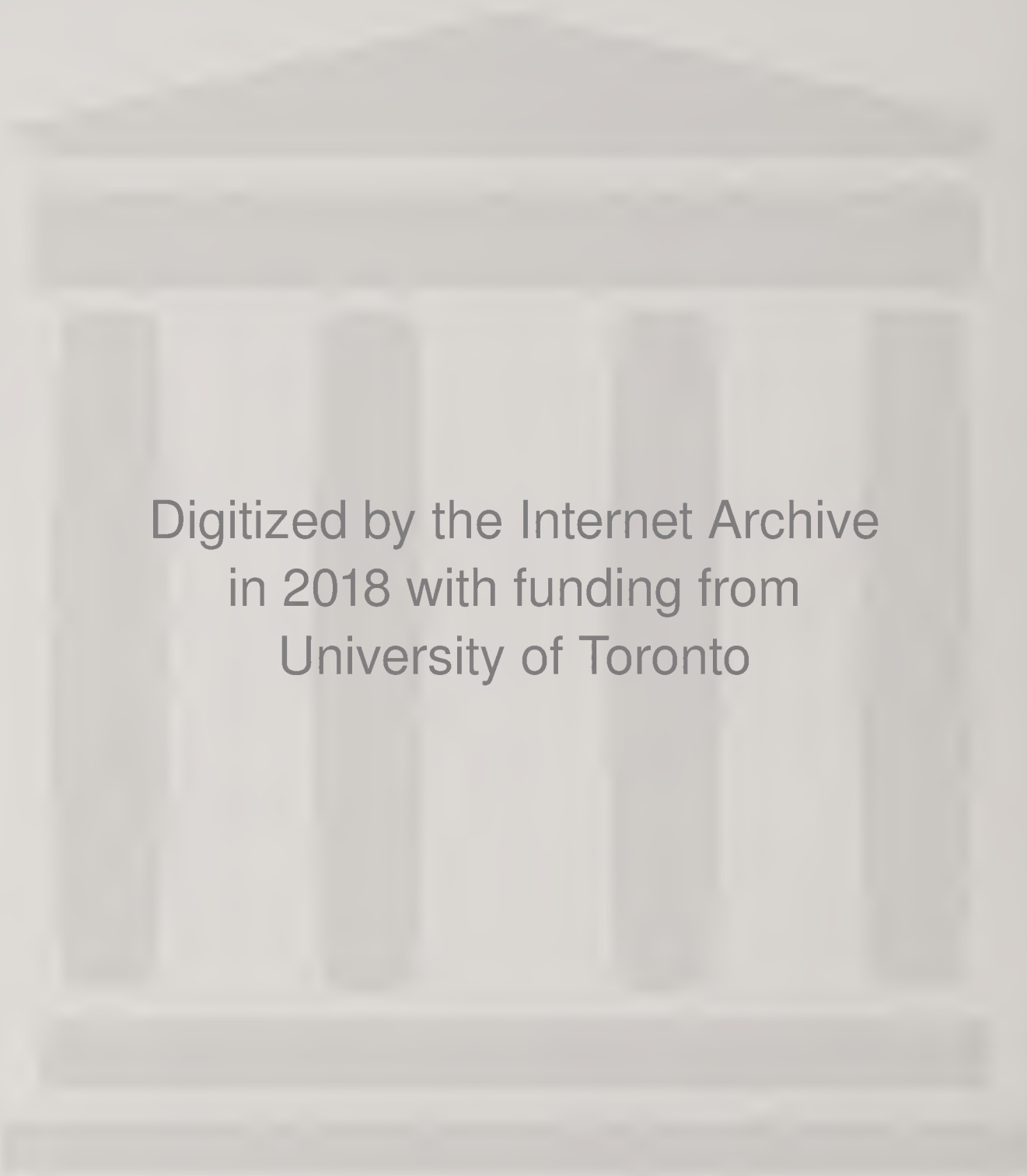
AUG 22 2008

FACULTY OF LAW
UNIVERSITY OF TORONTO

Public International Law
Supplement

(2003/04)

Professors Jutta Brunnée & Karen Knop



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

<https://archive.org/details/publicinternatio00brun>

**PUBLIC INTERNATIONAL LAW
2003/2004**

TABLE OF CONTENTS

-Brownlie, Glossary of International Law Terms 1

-Project on International Courts and Tribunals: The International Judiciary in Context 2

INTRODUCTION

-Anand, “Attitude of the Asian-African States Toward Certain Problems of International Law” 3

INTERNATIONAL LEGAL PERSONS

States and Statehood

-Knop, “Re/Statements: Feminism and State Sovereignty in International Law” 9

Types of States

-Anghie, “‘The Heart of My Home’: Colonialism, Environmental Damage, and the Nauru Case” 25

-Australia-Nauru Agreement 26

-Helman and Ratner, “Saving Failed States” 29

State Succession

-*Gabcíkovo-Nagymaros Project* (I.C.J.) 36

CREATION AND ASCERTAINMENT OF INTERNATIONAL LAW

Treaties

-*A.G. Que v. Eastmain Band* (F.C.A.) 42

-*Howard v. The Queen* (S.C.C.) 45

Case Study: International Criminal Court

-Statute of the International Criminal Court (Selected articles)	48
-US Draft Security Council Resolution (June 19, 2002)	61
-Letter of UN Secretary General to US Secretary of State (July 3, 2002).....	63
-US Draft Security Council Resolution (July 10, 2002)	66
-Statement of US Permanent Representative to UN (July 10, 2002).....	67
-Remarks by Canadian Permanent Representative to UN (July 10, 2002).....	70
-UN Security Council Resolution 1422 (July 12, 2002).....	75
-US Seeking Pacts in a Bid to Shield its Peacekeepers (NYT, August 7, 2002)	76
-1997 Kyoto Protocol to Climate Change Convention.....	79

NATIONAL APPLICATION OF INTERNATIONAL LAW

- <i>Spraytech v. Hudson</i> (S.C.C.).....	93
- <i>Suresh v. Canada</i> (S.C.C.)	95
- <i>Ahani v. Canada</i> (O.C.A.).....	105
- <i>Schreiber v. Germany</i> (S.C.C.)	137

INTERSTATE RELATIONS

Immunity

- <i>Arrest Warrant (Democratic Republic of Congo v. Belgium</i> (I.C.J.)).....	145
-Bill C-19, ss. 6, 8	173

STATE JURISDICTION OVER PERSONS

Bases of Jurisdiction

- <i>R. v. Cook</i> (S.C.C.)	174
------------------------------------	-----

STATE RESPONSIBILITY

-International Law Commission Draft Articles on Responsibility of States for Internationally Wrongful Acts	187
--	-----

LIMITATIONS ON THE USE OF FORCE

- <i>Nicaragua v. the United States</i> (I.C.J.).....	205
---	-----

Case Study: Intervention in Iraq (2003)

-United Nations Security Council, Resolution 1441, (Resolution on Iraq) Security Council meeting 4644, 8 November 2002.....	217
---	-----

-United Nations Security Council, Draft Resolution (S/2003/215) by Spain, the United Kingdom and the United States, 24 February 2003.....	220
---	-----

-United Nations Security Council, Resolution 1483, 22 May 2003	222
--	-----

-The National Security Strategy of the United States of America, Chapter V - <i>Prevent Our Enemies from Threatening Us, Our Allies, and Our Friends with Weapons of Mass Destruction</i> , September, 2002, pp. 13-16	229
--	-----

-William H. Taft IV, "The Legal Basis for Preemption" Memorandum, American Society of International Law, November, 2002	233
---	-----

-Letter from the United States of America to the United Nations Security Council, 20 March, 2003	236
--	-----

-Letter from the United Kingdom to the United Nations Security Council, 20 March, 2003	237
--	-----

-Letter from Lord Goldsmith, AG, to the UK Parliament, 17 March, 2003	238
---	-----

-Editorial Comments on The Use of Force against Terrorism and International Law (<i>American Journal of International Law</i> , Vol. 95, No. 4. (Oct., 2001), pp. 833-848)	239
---	-----

